THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.20123 OF 2006

DATED: 25-06-2007

BETWEEN

P. Rajendra Babu @ Raju,
S/o. Padmanabham,
Occ: Attender In Gas Authority
Of India, R/o. 23-20-18,
Haripuram, Rajahmundry,
East Godavari District and
another.

...PETITIONERS

AND

The Superintendent of Police,
Kakinada and others.

...RESPONDENTS

ORDER:

Petitioners seek a Writ of Mandamus to declare the action of the respondents 1 to 3 in not completing the investigation in Cr.No.297 x 374 of 2004 on the file of the III Town Central Crime Station, Rajahmundry as illegal and arbitrary.

2. Learned Government Pleader for Home submits that the investigation has been completed and a final report has also been filed under Section 173 of the Code of Criminal Procedure, referring the case in Cr.No.297 x 374 of 2004 registered under Sections 302 and 380 of the Indian Penal Code, 1860, on the file of the III Town Central Crime Station, Rajahmundry, as undetectable.

3. In view of the aforesaid final report, it is for the concerned Magistrate to consider the same and take appropriate action in accordance with law. It is also open to the petitioners either to file a protest application or file a private complaint, if they are aggrieved by the aforesaid final report, but no relief can be granted in this writ petition.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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V. ESWARAIAH, J

June 25, 2007
DSK